

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DONALD MILES,

Plaintiff

v.

JEFFREY A. SMITH, et al.,

Defendants

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: 3:20-CV-1434
: (JUDGE MARIANI)
:
:
:

ORDER

AND NOW, THIS 15TH DAY OF JANUARY, 2021, upon *de novo* review of Magistrate Judge Saporito's Report & Recommendation ("R&R") (Doc. 15), Plaintiff's Objections thereto (Doc. 16, 16-1), and all other relevant documents, **IT IS HEREBY ORDERED THAT:**

1. Plaintiff's Objections (Doc. 16, 16-1) are **OVERRULED** for the reasons set forth in the Court's accompanying memorandum opinion.
2. The R&R (Doc. 15) is **ADOPTED** for the reasons set forth therein and in this Court's accompanying memorandum opinion, except as specifically stated in the Court's memorandum opinion.
3. Plaintiff's Complaint (Doc. 1) is **DISMISSED**.
4. Defendant Brian Gallagher's Motion to Dismiss Plaintiff's Complaint (Doc. 8) is **DISMISSED AS MOOT**.
5. The Clerk of Court is directed to **CLOSE** this action.



Robert D. Mariani
United States District Judge